

The Senate Health and Human Services Committee offered the following substitute to SB 78:

A BILL TO BE ENTITLED

AN ACT

To amend Article 3 of Chapter 11 of Title 43 of the Official Code of Georgia Annotated, relating to dental hygienists, so as to provide for an additional exception to the requirement of direct supervision of a dental hygienist in certain settings; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 3 of Chapter 11 of Title 43 of the Official Code of Georgia Annotated, relating to dental hygienists, is amended in Code Section 43-11-74, relating to direct supervision requirements, scope of duties, and exceptions to required supervision for dental screenings, and inserting in lieu thereof the following:

"43-11-74.

(a) Dental hygienists shall perform their duties only under the direct supervision of a licensed dentist, except as otherwise provided in this Code section. No dental hygienist shall diagnose, prescribe, determine the initial dosage, or increase the initial dosage of nitrous oxide, practice dentistry or do any kind of dental work other than to remove calcareous deposits, secretions, and stains from the surfaces of the teeth, to apply ordinary wash or washes of a soothing character, and to perform those acts, services, procedures, and practices which the board shall prescribe by rule or regulation. ~~The board shall not delegate to dental hygienists the authority to administer local anesthesia, except that this restriction shall automatically expire July 1, 1992.~~

(b) After meeting such additional education and training requirements as the board may require by rule or regulation, a dental hygienist may perform such other acts, practices, services, or procedures under the direct supervision of a licensed dentist, which the board may prescribe by rule or regulation subject, however, to the limitations set forth in subsection (a) of this Code section.

1 (c) The requirement of direct supervision shall not apply to the educational training of  
2 dental hygiene students at an institution approved by the board and the Commission on  
3 Dental Accreditation of the American Dental Association, or its successor agency, when  
4 such instruction is carried out under such degree of supervision by a licensed dentist as the  
5 board may prescribe by rule or regulation.

6 (d) The requirement of direct supervision shall not apply to the performance of dental  
7 hygiene duties at approved dental facilities of the Department of Human Resources, county  
8 boards of health, or the Department of Corrections. The board shall provide by rule or  
9 regulation for criteria for approval of such facilities and for the appropriate degree of  
10 supervision by a licensed dentist over dental hygienists performing duties in such facilities.

11 (e)(1) As used in this subsection, the term 'dental screening' means a visual assessment  
12 of the oral cavity without the use of X-rays, laboratory tests, or diagnostic models to  
13 determine if it appears that a more thorough examination and diagnosis should be  
14 conducted by a dentist.

15 (2) The requirement of direct supervision shall not apply to the performance of dental  
16 hygienists providing dental screenings in settings which include schools, hospitals, and  
17 clinics and state, county, local, and federal public health programs. Other health fair  
18 settings must be preapproved by the board.

19 (3) Each person who receives a dental screening pursuant to this subsection, or the parent  
20 or legal guardian if the person is a minor, must be informed in writing of the purpose and  
21 limitations of a dental screening and advised to seek a more thorough examination by a  
22 dentist to determine whether or not problems exist that might not be discovered in a  
23 screening. There shall be no fees charged for providing a dental screening pursuant to this  
24 subsection except for dental screenings provided by employees of the Department of  
25 Human Resources or county boards of health. These fees must be paid directly to that  
26 department or county board of health and not to the individual who performs the dental  
27 screening.

28 (f) The requirement of direct supervision shall not apply to the performance of dental  
29 hygiene duties by dental hygienists in institutions or facilities for patients with a physical  
30 or mental disability, personal care homes, nursing homes, homes of homebound persons  
31 receiving medical assistance through a home health agency, and hospitals if the patient has  
32 a valid prescription from a dentist. Such prescription shall only be valid for a period of six  
33 months. This subsection shall only apply to dental hygienists who have at least five years  
34 of experience as a dental hygienist, who have received appropriate clinical training as  
35 established and approved by the board, and who have a written agreement with a  
36 sponsoring dentist to monitor the work of such dental hygienist. The sponsoring dentist

1 shall be responsible for all treatment performed by the dental hygienist. The treatment  
2 provided by a dental hygienist pursuant to this subsection shall be limited to prophylaxis,  
3 application of fluoride, dental hygiene instructions, assessment of a patient's need for  
4 further treatment by a dentist, and other services if delegated by the sponsoring dentist and  
5 in accordance with rules and regulations established by the board. A dental hygienist  
6 providing treatment pursuant to this subsection shall be required to submit an annual report  
7 to the American Dental Association and the Department of Human Resources regarding  
8 the number of patients treated and the types of services performed."

9 **SECTION 2.**

10 All laws and parts of laws in conflict with this Act are repealed.